

## IN THE UNITED STATES RECEIVING OFFICE

Applicant : Joachim Charzinski  
Serial No. : 10/030,258  
Filed : January 7, 2002  
Title : METHOD FOR THE SWITCHOVER TO STANDBY OF TRANSMISSION  
FACILITIES IN PACKET-ORIENTED TRANSMISSION

**BOX PCT**

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371

mailed April 1, 2002, Applicant respectfully submits that the Declaration was filed along with the U.S. Application on Monday, January 7, 2002, as confirmed by the enclosed copies of the Transmittal Letter, PTO-stamped return postcard, and executed Declaration. Thus, the Declaration was filed within 30 months from the priority date.

Accordingly, Applicant submits that no surcharge is due in this case, and that the Notice of Missing Requirements (copy enclosed) was issued in error.

## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL947623440US

September 3, 2002  
Date of Deposit

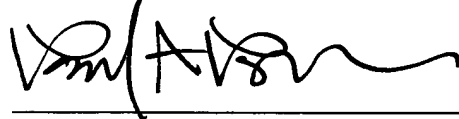
Applicant : Joachim Charzinski  
Serial No. : 10/030,258  
Filed : January 7, 2002  
Page : 2

Attorney's Docket No.: 12758-  
048US1 / 1999P02253WOUS

No fees are believed to be due for this response, however, if any fees are due, please  
apply them to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 3, 2002



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Paul A. Pysher  
Reg. No. 40,780

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
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FORM PTO-1390 US DEPARTMENT OF COMMERCE REV. 5-93PATENT AND TRADEMARK OFFICE <b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEYS DOCKET NUMBER <b>P01,0563</b>
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/06273</b>	INTERNATIONAL FILING DATE <b>04 JULY 2000</b>	PRIORITY DATE CLAIMED <b>06 JULY 1999</b>
TITLE OF INVENTION <b>METHOD FOR THE SWITCHOVER TO STANDBY OF TRANSMISSION FACILITIES IN PACKET-ORIENTED          TRANSMISSION</b>		
APPLICANT(S) FOR DO/EO/US <p style="text-align: center;"><b>Joachim CHARZINSKI</b></p>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input checked="" type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>Items 11. to 16. below concern other document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (PTO 1449, Prior Art, Search Report, 04 References).</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.  <b>(SEE ATTACHED ENVELOPE)</b></li> <li>13. <input checked="" type="checkbox"/> Amendment "A" Prior to Action and Appendix "A".  <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> A substitute specification and substitute specification mark-up.</li> <li>15. <input checked="" type="checkbox"/> A change of address letter attached to the Declaration.</li> <li>16. <input checked="" type="checkbox"/> Other items or information:           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Submission of Drawings, 1 sheet, Figures 1-2.</li> <li>b. <input checked="" type="checkbox"/> EXPRESS MAIL #EL 843743047 US dated January 7, 2001</li> </ol> </li> </ol>		

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/EP00/06273ATTORNEY'S DOCKET NUMBER  
P01,056317. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):**

Search Report has been prepared by the EPO or JPO \$890.00

International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) \$710.00

No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO (37 C.F.R. 1.445(a)(2)) \$740.00

Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO \$1040.00

International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

CALCULATIONS

PTO USE ONLY

\$ 890.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).

\$

Claims

Number Filed

Number  
Extra

Rate

Total Claims

06

- 20 =

0

X \$ 18.00

\$

Independent Claims

01

- 3 =

0

X \$ 84.00

\$

Multiple Dependent Claims

\$280.00 +

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 890.00

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28)

\$

**SUBTOTAL =**

\$ 890.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +

\$

**TOTAL NATIONAL FEE =**

\$ 890.00

Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +

**TOTAL FEES ENCLOSED =**

\$ 890.00

Amount to be  
refunded

\$

charged

\$

a. ☒ A check in the amount of \$ 890.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1519. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:SCHIFF HARDIN & WAITE  
PATENT DEPARTMENT  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6473

CUSTOMER NUMBER 26574

  
SIGNATUREMark Bergner  
NAME45,877  
Registration Number

Mail # EL 843743047, dated Jan. 7, 2002

U.S. COMMISSIONER OF PATENTS & TRADEMARKS  
WASHINGTON, D.C. 20231

PCT/EP00/06273

P01,0563

SIR:

PLEASE APPLY A RECEIPT STAMP HERETO AND MAIL TO  
ACKNOWLEDGE RECEIPT OF THE ATTACHED:

Joachim Charzinski  
APPLICANT

Jan. 7, 2002  
MAILING DATE

M Bergner due:  
Jan. 6, 2002

tion as filed; English translation,  
annexes; Preliminary Amendment &  
Appendix; Substitute Specification &  
mark-up; TYPE OF DOCUMENT(S) Submission of  
drawings, 1 sheet, Figs. 1-2; IDS,  
PTO 1449, search report, references;  
Executed Declaration & change of  
address of applicants representative;  
Fee: \$890.00

SCHIFF HARDIN & WAITE

JC10 REC'D PCT/PTO 07 JAN 2002  
10/030258



UNITED STATES PATENT AND TRADEMARK OFFICE

 RECEIVED  
 APR 08 2002  
 Commissioner for Patents  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

 SCHIFF HARDIN & WAITE  
 US PATENT OFFICE

U.S. APPLICATION NUMBER NO. 10/030,258	FIRST NAMED APPLICANT Joachim CHARZINSKI	ATTY. DOKUMENT NO. P01,0563
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INTERNATIONAL APPLICATION NO.

PCT/EP00/06273

I.A. FILING DATE

07/04/2000

PRIORITY DATE

07/06/1999

CONFIRMATION NO. 8900

371 FORMALITIES LETTER



\*OC000000007723766\*

 26574  
 SCHIFF HARDIN & WAITE  
 6600 SEARS TOWER  
 233 S WACKER DR  
 CHICAGO, IL 60606-6473

Date Mailed: 04/01/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Substitute Specification

Docketed By	Practice Systems
Action Date	Missing Rep
Base Date	4-1-02
Due Date	6-1-02
Deadline	10-1-02
Initials	JMG

Docketed By	Billie S. Secretary
Due Date:	
Deadline:	M60
Initials:	

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/030,258	PCT/EP00/06273	P01,0563

FORM PCT/DO/EO/905 (371 Formalities Notice)

09/10/2002 GFREY1 00000062 061050 10030258

01 FC:154 130.00 CH